

Amendment No. 1 to HB1327

Lynn
Signature of Sponsor

AMEND Senate Bill No. 498*

House Bill No. 1327

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(30)(C), is amended by deleting the subdivision and substituting instead the following:

(C) In counties with a population of more than three hundred nineteen thousand six hundred twenty-five (319,625), according to the 1980 census, but excluding those counties having a metropolitan form of government:

(i) Within a national historic landmark district or urban park center, as defined by this section, or within an easement area granted to a municipality for commercial recreation and commercial recreation facilities from the Tennessee Valley authority in the Fort Loudoun Reservoir:

(a) Restaurant licensees shall not be required to meet any requirements of this section which make food service, maintenance of a kitchen, or a dining room a prerequisite to the issuance of a restaurant permit to serve liquor by the drink; and

(b) Notwithstanding any law to the contrary, restaurant licensees may enter into leases with municipal landowners in which gross sales, which may include or exclude liquor sales, are considered in the determination of a percentage rent or other rent calculation provision; and

(ii) Within a sports authority facility, as defined in this section, restaurant licensees shall not be required to meet any of the requirements of subdivision (30)(A) which make food service, maintenance of a kitchen, or a dining room a prerequisite for the issuance of a permit to serve liquor by the drink;

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SECTION 2. Tennessee Code Annotated, Section 57-4-102(28)(A), is amended by deleting subdivisions (iii) and (iv) and substituting instead the following:

(iii) Such national historic landmark centers around a historic public street or right-of-way;

(iv) Such a public street or right-of-way is closed to motor vehicular traffic, whether permanently or on a regular basis; and

(v) But only to the extent that such premises are located and fronting upon such historic street and not located on or fronting upon another street or right-of-way within such national historic landmark;

SECTION 3. Tennessee Code Annotated, Section 57-5-103, is amended by adding the following new subsection:

(f) Notwithstanding any law to the contrary, no city or county shall deny the issuance or renewal of a permit upon the basis that the lease between the business and its municipal landlord includes a provision whereby gross sales, which may include or exclude liquor sales, are considered in the determination of a percentage rent or other rent calculation provision.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.